

REMARKS

Claims 2, 4, 56, 59 and 66-68 remain pending in the application. Claims 2 and 68 have been amended, and claims 53-55, 57, 58, 60-65, 69 and 70 have been canceled. Claims 1, 3 and 5-52 were canceled by a previous paper. Reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

In the Office Action, the Examiner rejected claims 2, 4, 56, 59 and 66-68 under 35 U.S.C. §102(e) as being anticipated by Kawai (U.S. Patent No. 6,792,245). Applicants respectfully traverse the rejection for at least the following reasons.

Applicants' independent claim 2 recites a transmitting apparatus that transmits a storage identifier that identifies one of a plurality of storage media and data to be accumulated on at least one storage medium identified by the storage identifier.

Applicants' independent claims 4 recites a transmitting method which includes transmitting a storage identifier that identifies one storage medium of a plurality of kinds of storage media and data to be accumulated on at least one storage medium identified by the storage identifier.

Kawai discloses a hardware terminal 41 which includes a CPU 54, an EEPROM 56, and a storage medium drive 62. See Figure 2, and col. 6, line 53 – col. 7, line 40 of Kawai. When a user loads a storage medium into the hardware terminal 41, ID codes associated with the contents recorded in a Table of Contents of the storage medium are read out by the hardware terminal 41, and

are stored in the EEPROM 56, or registered within the CPU 54. See col. 8, lines 6-22 of Kawai.

Kawai discloses that broadcast data is received by the hardware terminal 41 in real time, and an ID code included with the received information is detected. See col. 8, lines 23-25 of Kawai. Only when the detected ID code from the received information agrees with the ID code stored in the hardware terminal is the remainder of the real time received information downloaded to be stored in EEPROM 56. See col. 8, lines 26-30 of Kawai. Kawai discloses, at col. 10, lines 18-38, that the hardware terminal may be used to receive a large amount of pre-stored information from the storage medium, and receive a smaller amount of associated real time information, such as auxiliary information.

Applicants respectfully submit that the real time broadcast data is not accumulated on the storage medium loaded into the hardware terminal, from which ID codes are read. Rather, Appellants submit that the broadcast data is stored in EEPROM 56. See, e.g., col. 8, lines 22-32 of Kawai. Applicants further submit that the ID codes do not identify the EEPROM 56. Rather, it is submitted that the ID codes identify the storage medium.

Thus, Applicants respectfully submit that Kawai fails to disclose or suggest a transmitting apparatus that transmits a storage identifier that identifies one of a plurality of storage media and data to be accumulated on at least one storage medium identified by the storage identifier, as recited in Applicants' independent claim 2, or a transmitting method which includes transmitting a storage identifier that identifies one storage medium of a plurality of kinds of storage media and

data to be accumulated on at least one storage medium identified by the storage identifier, as recited in Applicants' independent claim 4.

Applicants' independent claim 56 recites a transmitting apparatus that transmits a storage identifier that identifies a kind of storage medium.

Applicants' independent claim 59 recites a transmitting method which includes transmitting a storage identifier that identifies a kind of storage medium, and data to be accumulated on the kind of storage medium identified by the storage identifier.

Applicants respectfully submit that Kawai's ID codes do not identify a kind of storage medium. Rather, Applicants submit that the ID codes of Kawai are associated with particular contents stored in a storage medium. See, e.g., col. 8, lines 9-15 and col. 11, lines 30-45 of Kawai.

Further, Applicants again submit that the real time broadcast data received by hardware terminal 41 is not accumulated on the storage medium loaded into the hardware terminal, from which ID codes are read.

Thus, Applicants respectfully submit that Kawai fails to disclose or suggest a transmitting apparatus that transmits a storage identifier that identifies a kind of storage medium, as recited in Applicants' independent claim 56, or a transmitting method which includes transmitting a storage identifier that identifies a kind of storage medium and data to be accumulated on the kind of storage medium identified by the storage identifier, as recited in Applicants' independent claim 59.

For at least these reasons, Applicants submit that Kawai does not anticipate the inventions recited in Applicants' independent claims 2, 4, 56 and

59, and thus respectfully request that the Examiner withdraw the 35 U.S.C. §102(e) rejection and allow claims 2, 4, 56 and 59.

Dependent claims 66-68 are also submitted to be in condition for allowance for at least the reasons set forth above with respect to claim 4, from which they depend.

Dependent claim 68 has been amended by the present paper to correctly refer to the "transmitting method", rather than "transmitting apparatus", of claim 4.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

SUMMARY AND CONCLUSION

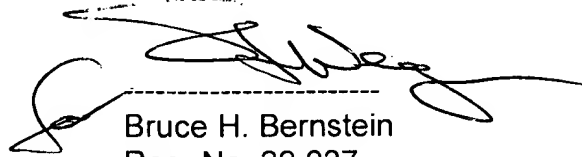
Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate. Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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